

The National Security Assurance of the Republic of Kazakhstan

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Abstract—the article analyzes the national security as a scientific and practical problem, characterized by the state's political institutions to ensure effective action to maintain optimal conditions for the existence and development of the individual and society. National security, as a category of political science reflects the relationship between the security to the nation, including public relations and social consciousness, social institutions and their activities, ensuring the realization of national interests in a particular historical situation. In national security are three security levels: individual, society and state. Their role and place determined by the nature of social relations, political systems, the presence of internal and external threats. In terms of content in the concept of national security is taken to provide political, economic, military, environmental, information security and safety of the cultural development of the nation.

Keywords—Kazakhstan, national security, religious extremism

I. INTRODUCTION

THE National Security was prioritized in the «Kazakhstan – 2030» strategy. Following that the President Nursultan Nazarbayev numerously noted that the national security is the basis of every other government as well as the Republic of Kazakhstan. As the matter of fact the government itself is the fundamental subject of the national security assurance, whereas the government is also the indention, therefore is carrying out the basic functions of organization and management of such activity. Therefore, the mechanism of national security assurance is carried out by means of governmental entities [1]. The mechanism of the national security assurance represents the system, which determines the order of legal, operational and court of justice activities, of governmental, public and other organizations and associations of the citizens who provides the national security assurance of the country. The national security assurance itself represents the focused activity of governmental and public institutes, as well as citizens who carry out determination and prevention of personal, society or government security violence and provides contrariety to such violence as the obligatory and essential factor of national security interests of the government.

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The national security assurance appears in goals and principles of national security interests determined by the political management of the country, and its' forms, methods and modes for the goals achievement. The national interests are formed by the violence determination to such interests. The purpose of the governmental national security system is the mechanism that allows performing policy and strategy focused on national interests' security of the government.

The focus on governmental legal mechanism that prevents the national security violence and national interest and goals realization is the fundamental principle of the governmental regulation in the area of the national security assurance.

At the same time the governmental policy is associated with political course, goals and aims determination of internal and external political activity, and such activity itself forward achievement within the government, its' central entities inside the country and abroad. Given the consideration to the word «policy» it means the art of government management, but from political sociological point of view policy is the imperative authority of society formation, political process of its achievement and operational support of its entirety based on accordance of different interests, society management from the side of political elite based on institutes.

Due to the above mentioned the governmental politics is the political process of regulatory impact, mainly the impact of the executive authority institutes of the government on basic society areas, leaned on direct applicability of governmental authorities during development as well as strategy and tactic implementation of obligatory and organizational impact on all components and aspects of functional economy development, social area and other society sub-systems by means of resources deployment, distribution and re-distribution of public goods and other measures [2].

The Republic of Kazakhstan, declaring himself an independent, secular, social state, walking along the path of democracy, market economy, the creation of civil society and a member of the UN, OSCE and other international organizations, has undertaken the obligation to respect democratic standards generally accepted in the field of human rights, including the right to freedom of thought and speech, conscience and religion.

The Constitution of the Republic of Kazakhstan, among other rights and freedoms enshrined the right of everyone to freedom of conscience. In 1992 the Supreme Soviet of the country for the first time in the history of Kazakhstan adopted the Law "On Freedom of Conscience and Religious Associations", which laid down new principles of relations between state and religious associations, and guaranteed the various rights associated with freedom of religion.

Kazakhstan is a multi-confessional state, place of residence and religious activities of religious associations of the most varied of religious orientation. Citizens of the Republic of Kazakhstan and other states and stateless persons are equal

before the law for all areas of economic, political, social and cultural life, regardless of their denominational affiliation and religion.

In Kazakhstan, there is no state religion or state of a religious association. In accordance with the laws enshrined in the principle of equality of religious associations, the state does not give preference to any religion or religious association. No religion, religious, or religious groups can not enjoy the privileges, benefits, compared with others because of their denominational affiliation.

Confessional affiliation may not be the cause of discrimination against citizens and religious organizations in the implementation of their rights, access to social services and legal proceedings. Individuals and organizations that violate the principle of equality of citizens, limiting the rights or establish any advantage, depending on the religion, must be held accountable. With equal rights to all religious groups have the same responsibilities, regardless of religion, and are equally responsible for the offenses committed by them on the grounds and in the manner prescribed by law.

According to official statistics in the country there are 3144 religious unions, 13 charities and other companies associated with religious activities. They represent more than 50 denominations. Of those in state government in 2703 registered association. At the disposal of the faithful are 2302 religious buildings, including Muslim - 1587, Orthodox - 228, Roman Catholic - 69, Protestant - 40, Judaic - 10 and other denominations - 7. Since independence, the number of religious groups has increased almost 5 times. During these same years, the country appeared more than 30 new faiths and denominations [3].

Most of the growth of religious associations occurred in the early to mid-90's last century, after the dramatic political, economic, social and cultural change. A further marked increase in the number of religious structures is unlikely, since after the religious "boom" became the religious situation in the framework of stabilizing, which may nevertheless be destroyed, including an inadequate response to the delicate religious processes.

The state applies equally to the religious communities in the state registration, obtaining permits for construction, reconstruction of buildings, land allocation, providing opportunities for charitable, cultural and educational activities, religious activities, including certain state institutions (prisons, hospitals), access to the media, etc. Any form of propaganda of religious supremacy in the state media.

The objectives, principles and methods of public policy in the sphere of religion and religious organizations derive from the State's duty to ensure the constitutional right of everyone to freedom of conscience and are designed to promote the development of state-confessional relations in the new political and socio-economic conditions.

The governmental policy is the instrument that allows government to achieve the goals required, by use of legal, economy, administrative and other methods and ways of impact, based on existing resources.

At the end of the day, the governmental policy represents the general plan of political administrative entities' activities and management, focused towards solving important, and problems that influent citizens' lives. Governmental policy is developed and carried out mainly by such public authorized institutes as ministry, president etc.

Therefore, the governmental policy of national security assurance is the political process of managing authorized entities' impact, leaned on direct implementation of imperative authorities, with a possibility of *engaging of civil society during development as well as during implementation of strategy and tactic, assigned on achievement of secure level of national security interests, represented as assembly that consists of personal, social and governmental interests, against outside and inside, real and potential violence.*

Based on national interests the appropriate entities and governmental authorities carry out and form the goals of governmental policy, reflecting the interests of citizens, society and government. The government develops and carries out special measures in order to achieve the goals.

However, in spite of national security assurance's priority for government, the «governmental policy of national security of the Republic of Kazakhstan» conceptual meaning does not exist in the legal acts. Neither does the «national security» conceptual meaning. In such a way, there is the term of «security» in the General Law of the Republic of Kazakhstan, which is used in all different meanings and wordings: «government security disruption», «according to government security», «military defense and governmental security assurance».

The law determines subjects of national security as – government, that implements its' authority via legal, executive and prosecutorial entities, citizens and association¹. In spite of the above mentioned presence of citizens and associations in fact the Law determines the national security assurance to be prerogative of governmental authorities only. Therefore, the subjected part is represented by governmental entities within its competence – legal, executive and prosecutorial, and Special Forces of national security assurance also. According to Clause 8 of the Law «The National Security of the Republic of Kazakhstan» the forces of national security assurance are: Military establishments, other troops and military formation of the Republic of Kazakhstan; national security entities, internal affairs, external intelligence, military and finance police, Presidential security service, tax and customs authorities, emergency aftereffect termination services [4].

In addition, «the national security assurance is obligatory for all other governmental authorities and entities, that they carry out within their competence by themselves, as well as based on appeal from national security assurance forces»².

Therefore, the governmental authorities are the only entities whose activities and limits of competences are represented in the appropriate Law. However, the immovability and absence of boundary delimitation between rights and obligations of citizens and associations in national security assurance is the

failure of acting Law of the «National Security of the Republic of Kazakhstan».

The below listed results are based on the analysis of basis legislative and legal acts of the Republic of Kazakhstan within the area of national security assurance.

1. The government is the only prerogative in the national security assurance of the Republic of Kazakhstan. In other words there is an obvious monopoly of governmental entities within the national security assurance. This is entirely incorrect in our opinion because of the fact of opinions pluralism, methods of national security assurance, gives the possibility to choose the most sensible one, or to achieve the most effective option by use of several models synthesis. Since the only governmental way of national security assurance without taking into account other options, a priori can't be correct, this leads to potential risk of making several mistakes that are fraught with the following negative consequences for the national security in general.

2. Constitutional statement of the President of the Republic of Kazakhstan represents one as the imperative executive individual, general subject in making decisions in national security assurance area, and within the whole system of governmental policy, this individual reports to nobody, and is independent from any other governmental authority.

3. In fact the President of the Republic of Kazakhstan N. Nazarbaev has concentrated in his own hands the management of all governmental military forces. Since the approval from Parliament Senate the president posts and releases the positions of General Prosecutor, Head of the National Security Committee, Head of Military Forces, External Intelligence «Syrbar» management, Presidential Security services, Republican guards; formulates and takes the lead of Security Committee. Also the President is obligated to hire/dismiss the Minister of the Foreign Affairs, Military Forces, Internal Affairs Minister, Justice; the head of Constitution Committee, Supreme Court. The KGB (the Governmental Security Committee), External Intelligence «Syrbar», Finance Police and General Procuratorate are given the special status and report to the President only.

4. The competence of National Security Committee is nominal, and does not go further than consulting character without obligatory on making decisions.

5. The Akims are taking the lead within local executive authority, giving them wider competence, charge and their report to the President only will be given the following problems in National Security Assurance. The Akims are given wide executive competence meanwhile the government has no effective controlling mechanism for appropriate monitoring after their activities. The other thing is that the entity of a double reporting is ineffective, where the same territorial entity of executive authorities are obligated to execute the tasks from akims, and from central entities management.

6. The most important problem of the whole system that is involved in national security assurance is the double functioning. Therefore the anti-terrorism effort is the obligatory of National Security Committee of the Republic of Kazakhstan, Internal military forces of the Internal Affairs

Ministry of the Republic of Kazakhstan, Internal Affairs entities, Republican Guard services, Anti-terrorism centre of the National Security Committee of the Republic of Kazakhstan, and Special Forces of the National Security Committee of the Republic of Kazakhstan, Although in our opinion in such direction there must be the special entity with the activity aimed only on prevention of terrorism risk and its termination [5].

The corruption issues may be solved by the Internal Affairs Ministry as well as by National Security Committee, Finance Police. The presence of double functioning in the authorities leads to a competition growth between the entities and affects the level of national security. Because of that it is legally required to stipulate the border between the main governmental entities that are responsible for national security assurance excluding double functioning, creation of public affairs with competition of governmental authorities in order to reach high level and formation of correct strict mechanisms in relations with national security assurance.

II. CONCLUSION

Therefore, the principal measures are required for governmental policy optimization and improvement of national security assurance, including reconsideration of main methods in such area: refuse the monopoly of governmental authorities in national security assurance and more close relation with civil citizenship. It is required to reconsider the main doctrinal, legislative, and acts of the Republic of Kazakhstan in the area of national security assurance, taking into account the interests of nation, time requirements, international relations development level. It is required to give the Parliament rights to monitor the President's activity, national security entities' activity and other governmental authorities' activity. To reduce the President's competence for the good of Legislative authority. To form and legalize the system of restrictions in the political system of Kazakhstan.

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